



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

May 9, 2018

(Via email and Certified Mail)

**CERTIFIED MAIL**  
**NO. 7017 2680 0000 6289 4817**

Mr. Collins Kalu  
Los Angeles County MTA  
One Gateway Plaza  
Los Angeles, California 90012  
[kaluc@metro.net](mailto:kaluc@metro.net)

**SUBJECT: NO ENFORCEMENT FOR LINE LEAK DETECTORS ON UNDERGROUND STORAGE TANK SYSTEMS LOCATED AT METRO DIVISION 7, 8800 WEST SANTA MONICA BOULEVARD WEST HOLLYWOOD**

Dear Mr. Kalu:

The State Water Resources Control Board (State Water Board) is in receipt of the documents that the Los Angeles County Metropolitan Transportation Authority (Metro) submitted in response to the State Water Board's May 4, 2016 Notice of Violation. In its first response dated June 29, 2016, Metro provided documents which corrected some of the ongoing violations. On August 18, 2016, Metro provided the first of several repair schedules to address the remaining ongoing violations. After multiple changes to the repair schedule, the State Water Board issued an order for information relevant to underground storage tank (UST) compliance. The order for information, dated April 26, 2017, based all compliance deadlines on the repair schedule provided by Metro, dated April 7, 2017. On March 26, 2018, test records indicated that all remaining violations were corrected, except for violation 4, Failure to Install Line Leak Detectors (LLD). On April 25, 2018, Metro provided a statement resolving the remaining requirements of the order for information.

In its June 29, 2016 response, Metro explained that the pneumatic pumps used for the torque oil, motor oil, and antifreeze fluid tank systems experience high pressure changes that exceed the operating capabilities of any LLD currently available. Additionally, Metro explained that the following measures are used to ensure that the tank systems are safely operated: programmed with positive shut down and fail safe; audible and visual monitoring alarms; facility is manned 24 hours a day, 7 days a week; conducts visual and daily remote monitoring; and a 0.1 gallon per hour precision line test on the antifreeze pressurized lines is performed. The State Water Board understands that there is currently not a precision line test that exists for use with the torque oil, motor oil, antifreeze tank systems.

While the State Water Board sympathizes with Metro's situation, California Code of Regulations, title 23, chapter 16, section 2636(f)(2), requires underground pressurized piping to be equipped with a LLD. There is no exception to this requirement, even for those UST systems where there is not a current practical means of compliance.

Office of Enforcement | 801 K Street, Suite 2300 | Sacramento, CA 95814 | 916.341.5272

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR



Because there is not available technology that would allow Metro to become compliant with the LLD requirement for the aforementioned USTs, the State Water Board is exercising its discretion and is not initiating an enforcement action regarding this violation at this time. In addition to the measures Metro has taken, the State Water Board will require Metro to annually test the ASCO solenoid valve, ensure the device is tagged at the time of testing, and include it on the annual monitoring certification documentation. This additional monitoring requirement must be noted in the corresponding monitoring plans and approved by the local agency, Los Angeles County Department of Public Works.

This determination does not preclude the State Water Board or any other local, state, or federal agency from exercising any enforcement authority it may have and extends only for as long as Metro maintains compliance with the other UST requirements found in chapter 6.7 of the Health and Safety Code and chapter 16 of title 23, California Code of Regulations.

If you have any questions, please contact me at (916) 341-5551, or by email at [amantha.henkel@waterboards.ca.gov](mailto:amantha.henkel@waterboards.ca.gov).

Sincerely,



Amantha Henkel  
Senior Environmental Scientist  
UST Enforcement Unit  
**Office of Enforcement**

cc: See next page.



cc: *(via email only)*

Mr. Tim Smith  
Civil Engineer  
Los Angeles County Department of Public Works  
[tsmith@dpw.lacounty.gov](mailto:tsmith@dpw.lacounty.gov)

Mr. Joseph Baiocco  
Inspection Unit Supervisor  
Los Angeles County Department of Public Works  
[jbaiocco@dpw.lacounty.gov](mailto:jbaiocco@dpw.lacounty.gov)

Mr. James Jimenez  
Environmental Compliance & Services Manager  
Los Angeles County Metropolitan  
Transportation Authority  
[jjimenezja@metro.net](mailto:jjimenezja@metro.net)

Mr. Roger Uhden  
Sr. Environmental Specialist & Quality Assurance  
Los Angeles County Metropolitan  
Transportation Authority  
[uhdenr@metro.net](mailto:uhdenr@metro.net)

Ms. Heather Severin  
Principal Environmental Specialist  
Los Angeles County Metropolitan  
Transportation Authority  
[severinh@metro.net](mailto:severinh@metro.net)

